

Rules are on the way as Erie revels in mural mania

By Kevin Flowers

By Ed Palattella

Posted Nov 10, 2019 at 12:14 AM

Murals, public art are decorating the city more than ever, creating vibrancy but also a need for regulations, officials said.

The big scenes and designs are captivating the city from so many angles.

A smiling Rudy Daniels looks down from the west side of Methodist Towers, at West Eighth and Sassafras streets.

The observation deck at Dobbins Landing is awash in brilliant yellows and blues and other colors, especially when seen from the top of the Bicentennial Tower.

And along any number of other Erie streets — Parade among them — residents of the city's neighborhoods are displayed in all their diversity.

In just a short period of time, Erie has become a city of murals and public art, a place embracing large displays of creativity as part of its reinvention.

More murals are taking shape, which city officials and others said is welcome as further illustration of the depth of the pride in Erie and its revitalization efforts. The Erie Refocused redevelopment initiative and the Erie Downtown Partnership's strategy each encourage public art.

"I love what I'm seeing," Mayor Joe Sember said. "I think it makes the city more appealing and makes people want to be here."

At the same time, the officials said the city is in the early stages of developing regulations for murals and other public art, similar to rules that municipalities across the country have adopted.

"The whole idea of public art has become big nationwide," City Solicitor Ed Betza said. "It would make sense that, if you are going to continue on the path with public art, you have guidelines."

'New emphasis'

Murals and other public art projects have graced the city for years — remember the frog and fish sculptures that popped up seemingly everywhere? — but Erie became an even bigger canvas this past summer and fall.

The "Flotsam" display on Dobbins Landing was installed. So was the mural of Rudy Daniels, the Methodist Towers resident. And so were murals on the outside of Larry's Central Market, 1626 Sassafra St.; Rog's Inc., a towing business at the corner of West 18th and Parade streets; and the former General Tire building on West 12th Street, just west of Peach Street.

Much of the impetus for the art explosion has come from Erie Arts & Culture, a nonprofit that is boosting the profile of public art within city limits.

Erie Arts & Culture was instrumental in bringing international artists to Erie — with the help of Florida-based public art curator Iryna Kanishcheva — to create the murals at Rog's, Methodist Towers, Dobbins Landing and the former General Tire property.

“I think it’s important to say that by no means is public art new to Erie,” said Patrick Fisher, executive director of Erie Arts & Culture. “For a long time, a lot of different community-based organizations and artists have invested quite a bit into murals and art locally.

“But there is a renewed focus and a new emphasis on public art right now, and Erie Arts & Culture believes that if we want to see economic investments in Erie, we need to stimulate emotional and artistic investments as well,” Fisher said. “That’s what these projects do. Art investments bring a vibrancy to Erie.”

Brenda Sandberg, the Erie-Western Port Authority’s executive director, said the mural on Dobbins Landing’s observation deck has been a positive, attention-grabbing addition to Erie’s waterfront.

International artist Rafael Gerlach, known as SatOne, created the mural.

“It’s garnered a lot of interest, especially on social media,” Sandberg said. “It’s nice to have another new feature and area to welcome people to downtown Erie.”

Erie Arts & Culture has secured more than \$350,000 in grants and other funding to help promote various art projects throughout the region in 2019 and 2020, Fisher said.

Fisher said that employers value quality-of-life enhancements, so murals and other public art could make Erie more attractive to existing employers and companies looking to relocate here.

Public art projects also help break down the “elitist mentality” some people have about art, Fisher said. “You make art for and by the people and it amplifies the voice of this community,” he said.

And Fisher said public art projects, especially when they reflect the people and experiences within the communities where they’re located, can help push forward conversations about diversity, inclusion, poverty and other important social issues.

“It’s art as activism and as a vehicle to have these conversations,” Fisher said.

Downtown designs

The Erie Downtown Partnership has also helped develop public art, especially in central Erie. The nonprofit's area includes Dobbins Landing, Methodist Towers as well as the former Palace Hardware building on State Street, the site of another mural.

The partnership "definitely has an interest in public art as an economic and community development tool," said Emily Fetcko, the organization's assistant director.

The partnership and the League of Women Voters of Erie County are sponsoring what will be one of the next murals to appear in the city — a work to honor local women who fought for the right to vote. The mural is going up at the Housing and Neighborhood Development Services building at the corner of Seventh and State streets. It is to be done by August, to help celebrate the ratification, in August 1920, of the 19th Amendment, which gave women the right to vote.

Fetcko said visibility contributed to the partnership and the League of Women Voters picking the H.A.N.D.S. building, which had been the Erie Sport Store, as the site of the mural.

"There is a lot of foot traffic, but also a lot of diversity in the foot traffic," Fetcko said.

She said the downtown partnership will continue to work with Erie Arts & Culture and other organizations to discuss murals and their placements and themes. "As more art comes on line, we want to be careful not to be too distracting," Fetcko said.

She said she agrees with the need for municipal rules to regulate murals and other public art in Erie.

"We are very much in favor of that," Fetcko said. "There needs to be some form of best practices and some form of quality control."

Eyeing rules

The city of Erie is just starting to explore the type of regulations that would apply to murals. The city's zoning ordinance has plenty of rules for signs, but none for murals.

In other cities, such as Portland, Oregon, a permit is required for a mural, and neighborhood input is required in selecting a location. In Los Angeles, a mural ordinance prohibits commercial messages and requires additional review for murals to be placed on historic buildings. Portland and Los Angeles, as well as Philadelphia, among other cities, have municipal mural programs, which allow for the implementation of regulations in a different context than enforcing ordinances.

Rules for murals and other public art must honor First Amendment protections, according to court rulings. The rules generally must be “content neutral” or treat the murals and other projects the same, no matter what the content. The city of Erie will have to navigate a thicket of court cases to develop regulations for murals and other public art.

“The really difficult part for them is going to be understanding the patchwork of cases pertaining to murals and the First Amendment,” said Shannon T. O’Connor, a lawyer in Syracuse, New York, who specializes in municipal law and who is a former assistant corporation counsel for the city of Syracuse.

O’Connor wrote a lengthy article for Municipal Lawyer magazine in 2008 that focused on regulations for murals and other public art: “De-‘coding’ the Visual Landscape: Municipal Sign Ordinances, Murals and the First Amendment.” She wrote that murals and similar creations “can be classified as signs, artwork or both, presenting challenges for municipal lawmakers and counsel.”

In an interview, O’Connor said content neutrality is a key attribute of any mural regulations. She also said changing laws present challenges in developing rules for murals.

“The law is always in flux with the First Amendment analysis,” O’Connor said.

The city of Erie expects to implement guidelines for public art and murals sometime in 2020, said Renee Lamis, Schember’s chief of staff.

Lamis said that she and city Planning Director Kathy Wyrosdick have had preliminary conversations about the issue. Lamis said the city's Bureau of Streets, along with planning and zoning officials, will likely be part of that conversation. Betza, the city solicitor, would also be involved in the drafting of rules, which City Council would have to approve.

While the Schember administration supports public art, "we recognize that we need to come up with a public art policy that addresses what you can do, what you might need city approval for, things like that," Lamis said. "We want to facilitate things and promote public art, but we also want to have some guidelines."

Betza and the other officials said the rules would not be designed as an impediment to public art, but to make certain that murals and other projects meet acceptable standards. Betza said he has heard no complaints about the murals so far. From that view, the public appears to be pleased with what it is seeing.

"Everyone has been really happy with them," Betza said.

Kevin Flowers can be reached at 870-1693 or by email. Follow him on Twitter at www.twitter.com/ETNFlowers.

Ed Palattella can be reached at 870-1813 or by email. Follow him on Twitter at www.twitter.com/ETNpalattella.